

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

To place the application in better form, Applicant submits herewith a substitute specification, which includes an amended abstract. For the Examiner's convenience, also provided is a marked-up copy of the original specification showing the portions thereof which are being changed. The substitute specification includes the same changes as are indicated in the marked-up copy. Applicant's undersigned attorney has reviewed the substitute specification and submits that the substitute specification contains no new matter.

Claims 5-17 and 12-14 are presented for consideration. Claims 5-7 and 12-14 are each independent. Claims 1-4, 8-11 and 15 have been canceled without prejudice or disclaimer. Applicant reserves the right to file a continuing application directed to the subject matter of these claims. Claims 5-7 and 12-14 have been amended to clarify features of the subject invention. Support for these changes can be found in the original application, as filed. Accordingly, no new matter has been added.

Applicant notes with appreciation that claims 5-7 and 12-14 were indicated as containing allowable subject matter and would be allowed if rewritten in independent form. To expedite prosecution, claims 1-4, 8-11 and 15 have been canceled without prejudice or disclaimer and claims 5-7 and 12-14 have been rewritten in independent form.

Applicant requests favorable reconsideration and withdrawal of the objection and rejections set forth in the above-noted Office Action.

Claims 1, 2, 8 and 9 were objected due to an informality. Specifically, the Examiner asserted that the term "manage" is indeterminate. Rather, the Examiner suggested that the term

“evaluate and control” be used instead. Without conceding the propriety of this objection, Applicant has amended the pending claims in light of the Examiner’s comments. Accordingly, Applicant requests reconsideration and withdrawal of this objection.

Claims 1-15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that the term “normally” recited in claims 1 and 8 was relative. Although Applicant believes that one having ordinary skill in the art would readily understand the term “normally,” Applicant has, in an effort to advance prosecution, deleted this term from the pending claims. Accordingly, Applicant requests favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

Turning now to the art rejections, claims 1 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent application publication number 2003/0020889 to Takahashi in view of U.S. Patent No. 5,783,754 to MacPherson. Claims 2-4 and 9-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Takahashi publication in view of the MacPherson patent, and further in view of U.S. Patent No. 4,648,708 to Kosugi. Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Takahashi publication in view of the MacPherson patent. Applicant submits that the cited art, whether taken individually or in combination, does not teach or suggest many features of the present invention, as previously recited in claims 1-4, 8-11 and 15. Therefore, these rejections are respectfully traversed. Nevertheless, as discussed above, Applicant has rewritten claims 5-7 and 12-14 in independent form. Applicant submits that these changes render claims 5-7 and 12-14 allowable.


All pending claims, namely, claims 5-7 and 12-14, being allowable, Applicant submits that the instant application is in condition for allowance. Applicant, therefore, requests favorable

reconsideration, withdrawal of the objection and rejections set forth in the above-noted Office Action, and an early Notice of Allowance.

Applicant also requests that the Examiner contact his undersigned representative should any matters be deemed outstanding precluding allowance of this application.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



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